

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jodel Funderburg,)	C/A No.: 1:20-1704-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Andrew M. Saul,)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
)	

Defendant Andrew M. Saul, Commissioner of the Social Security Administration (“Commissioner”), by his attorneys, Peter M. McCoy, Jr., United States Attorney for the District of South Carolina, and Marshall Prince, Assistant United States Attorney for the District of South Carolina, has moved this court pursuant to 42 U.S.C. § 405(g) to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings. [ECF No. 16]. The movant represents that Plaintiff’s counsel, Timothy Allen Clardy, consents to the motion. *Id.* at 2.

By order of the court, this case is remanded to the Appeals Council. The Appeals Council will direct the Administrative Law Judge to reevaluate the medical source opinions pursuant to the applicable regulations; obtain supplemental testimony from a vocational expert (“VE”), resolving any conflicts between the VE’s testimony and the *Dictionary of Occupational*

Titles and the *Selected Characteristics of Occupations*; provide Plaintiff an opportunity for a new hearing; and issue a new decision.

Pursuant to the power of this court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings as set out above. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). The Clerk of Court is directed to enter a separate judgment pursuant to the Fed. R. Civ. P. 58.

IT IS SO ORDERED.

January 7, 2021
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge